

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, October 4, 2011 at 2:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Supervisor Walter: "-- my mother's birthday. Tara McLaughlin, how about leading us off in the Pledge of Allegiance?"

(At this time, the Pledge of Allegiance was recited led by Tara McLaughlin).

Supervisor Walter: "And we're going to have our invocation by Pastor Larry Duncklee. Would you like us to stand or sit?"

Rev. Larry Duncklee: "Stand, might as well stay."

Supervisor Walter: "Okay."

Rev. Larry Duncklee: "Gracious God, we thank you for all that is good and just, all that is holy. We ask for your blessings upon the men and women of this town board, for the decisions and consultations that they are about; that all the works of this town may be just and fair.

We pray for those who come before the board that they may be looking and seeking what is good for the town and for the people of the town.

We ask all of this because we trust in you, your guidance and your wisdom in our lives. Amen."

Supervisor Walter: "Father Duncklee, did I pronounce that right? Duncklee. Father Larry Duncklee is the new pastor I think of St. John the Evangelist Church in Riverhead, and you are from I just learned something, you were from Inwood, New York and for a minute there I thought that was in New Jersey.

So welcome aboard. Welcome to Riverhead, we're happy to have you here and feel free- I think Rabbi Siemers sets us up quite often so we'd like to have you and welcome aboard.

Okay, Chief, we have one of our furry friends. We've got Rico. Come on, let's go meet Rico. Jim, you want to say something about Rico?

All right, speak loudly so you can get into the microphone over by the desk."

Councilman Wooten: "This is Rico. She's available for adoption. It's an American Staffordshire Terrier. It's a mix; it's a male, neutered, five years old. And it says this handsome boy is very affectionate.

Rico has a wonderful personality and loves to run. He previously lived with other dogs and older children and appears to be housebroken but he does not get along with cats.

Rico's neutered, micro-chipped and up to date on his vaccinations.

So, and also this Sunday at the country fair, we have free adoption day. So anybody that's at the fair, we're going to have a lot of dogs down there so if you want to come and take advantage of that event, we'll be there also."

Supervisor Walter: "He's a good looking dog. Somebody in this audience should take that dog home. I'm feeling the love for that dog.

Rico, maybe you can hang around a little bit and move somebody.

All right, thank you.

Gannon, Gannon, you need a dog? Gannon, you know what? I know which car Gannon's is. We'll put the dog inside just as he's about to leave.

All right. We've coming up here but we're going to go back down there. We've got- probably should use the microphone, but we've got certificates of appreciation. Can I have Lisa Wedel and her mom? And Branch Sullivan. I'm sorry, Bianca Sullivan.

I'm sorry for that. Bianca, we butchered your name for a moment.

It is truly- come on up here. It is truly wonderful in this town when you see- you know you're in a small town when everybody knows everybody else and they're willing to step up and help and Lisa Wedel from Wedel Signs- left off your married name, sorry- stepped up and did something fantastic for the town.

She saw that the 9/11 memorial that Hal Lindstrom had done so many years ago, that the sign was in disrepair. It was faded, it didn't look good. It didn't represent what that monument was about.

And without us asking, she went over, took the sign down, had- I guess it's a brand new sign, and put it back up at no cost to the town of Riverhead.

So we have a certificate of appreciation. John- "

Councilman Dunleavy: "It's a certificate of appreciation for Lisa Wedel Drozd."

Supervisor Walter: "And we have another presentation. We're going too fast. Come on up town board. All right.

Bianca Sullivan stepped up to the plate also in town and we don't- I've never met you, this is the first time I've met you, and she owns Colorful Gardens and with these very difficult economic times it is hard to go out there and do things like purchase flowers.

It is- the towns just don't have the budgets and we're in the midst of revitalizing West Main Street. As I said to Mitch Palley, if I can't take back my comfort station, how am I going to take back the rest of West Main Street?

It was very- did I say Mitch Palley? Mitch Freedman. It is very comforting to know, no pun intended, that when we as a town board stepped up to do this, Bianca saw a need and she came and gave us flowers and plantings and if you look at the comfort station which will be open for the first time this weekend and probably 20 years for the country fair, the plantings are beautiful.

They are spectacular and I think we use the flowers in other areas of the town and you're from Colorful- where's Colorful Gardens?"

Bianca Sullivan: "We have a wholesale facility in Calverton on Mill Road and there's a retail in the Main Street in Jamesport."

Supervisor Walter: "Well, I'm so happy that you did this and if the residents of Riverhead want to get good flowers, then you want to go to Colorful Gardens, it's a great place and we thank you very much for doing this.

John, if you- "

Councilman Dunleavy: "I'll tell you something. We wish all residents would support the people and businesses that support the town of Riverhead, like Bianca Sullivan did.

And this is a certificate of appreciation for you and Colorful Gardens. Thank you."

Supervisor Walter: "Thank you very much. All right. Thank you very much, we appreciate it."

(Inaudible comments)

Supervisor Walter: "That whole section of West Main Street is coming back and it's people like you- so appreciative. You know the ladies that do the community gardens as well?"

(Inaudible comment)

Supervisor Walter: "Riverhead Roots. It's Lori Nigro (phonetic)."

(Inaudible comment)

Supervisor Walter: "Okay. All right. Jim, you want to mention something? We had the animals. I think there's something going on, I thought you started to say something."

Councilman Wooten: "Yeah, I did. This Sunday, of course, is Country Fair Sunday; it's the 37th year, and there's a free adoption day at our animal shelter. They'll be down there with staff and it's a free adoption day so there won't be any money.

So we ask all the people to come out and come and check our dogs that we have in our possession like Rico. There's a lot of dogs just like that that are itching to have a nice home to spend the rest of their lives with.

So come on down and take advantage. And it's going to be a beautiful day for the fair as well."

Supervisor Walter: "All right, thank you. John."

Councilman Dunleavy: "Nothing than I want to make a motion that we approve the minutes of the town board meeting of September 20, 2011. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Diane, Applications."

APPLICATIONS:

Special event

AARP - makeover event at Tanger Outlet, November 4, 2011

REPORTS:

Town Clerk

monthly report September, 2011 -
\$16,160.28

Building Department

monthly report September, 2011 -
\$72,641.20

Police Department	monthly report, August, 2011
Sewer District	discharge monitoring report, August, 2011
Fire Districts	
Jamesport Fire District	2012 proposed budget and public hearing notice October 18, 2011
Wading River Fire District	2012 proposed budget
Manorville Fire District	2012 proposed budget and public hearing notice, October 18, 2011

CORRESPONDENCE:

Two post cards and one e-mail	requesting adoption of a short term moratorium for the Wading River corridor
Gerald Simone - Gendot Homes	petition to extend water services property described as SCTM# 0600-115-1-27 and 0600-194-1-8.4 south side of Hidden Pond Path, Wading River, NY
William F. Andes, Jr. - Beasland Realty Ltd.	letter of thanks to the town and two Community Development Agency employees, Joseph Maiorana and Daniel Thompson for awarding a Main Street grant to Beasland Realty Ltd.

Diane Wilhelm: "And that's it."

Supervisor Walter: "All right. Any other committee reports?"

Councilwoman Giglio: "I just want to ask you on the fire districts, it says Wading River fire District. The other two fire districts- public hearing notice October 18th."

Diane Wilhelm: "Actually, they didn't send in the public

hearing notice. I'm waiting for that. It should be-- they're all on the 18th, but it's just a matter of them sending in the paperwork. They did notice us that they would be but it hasn't arrived."

Councilwoman Giglio: "Okay. So you reached out to them to make sure that they have to get that-- "

Councilman Wooten: "And also under Correspondence, Diane, it should say you received a letter from-- "

Diane Wilhelm: "Oh, yes, I'm sorry. We did receive also-- thank you, Jim. A letter from Sandra Mott and this is in regard to a private fundraising effort from a group of people.

And that's it."

Councilwoman Giglio: "For a new animal shelter."

Diane Wilhelm: "For a new animal shelter. In the town of Riverhead."

Supervisor Walter: "Okay. All right. Any other town board reports?"

Councilwoman Giglio: "No. I'm hoping that we'll be able to discuss LIPA legislation on Thursday so that we can collect that check from them for \$15,000, so everybody gather your thoughts and read through your paperwork.

I know that Ann Marie has drafted legislation."

Councilman Dunleavy: (Inaudible)

Councilwoman Giglio: "Yup. The legislation-- "

Councilman Gabrielsen: (Inaudible)

Supervisor Walter: "Okay. I have-- I thought you were talking about something else, we're getting a rebate check from LIPA. I thought that's what you were talking about.

Okay. I was just going to invite Sal up but we have a public hearing."

Public hearing opened: 2:11 p.m.

We've got a public hearing scheduled for 2:05, and this is the consideration of a local law amending Chapter 58 of the Riverhead town code, entitled Dogs, Section 58-10 voluntary surrender of an identified dog.

And, Bob, you want to say anything about this?"

Robert Kozakiewicz: "There's not a lot to say with respect to the proposal other than to indicate that the amendment would remove from Chapter 58 which is the chapter that addresses dogs, the ability for the town to take a voluntary surrender of a dog at the shelter.

This was brought to my office initially by the department that's currently handling this matter and I did run it by the liaison to the committee, Councilman Wooten, and based upon circumstances it was felt that this would be the most appropriate thing to do at this time.

So we're looking for comments from anybody who would like to be heard on whether we should continue accepting dogs on a voluntary basis up at the shelter or whether we should discontinue doing so as proposed here today."

Supervisor Walter: "Okay. Would anybody like to be heard on this matter? Okay, yes."

Michelle Janelowicz: "Michelle Jamelowicz. I serve on the animal advisory committee also.

I just wanted to ask instead of considering a resolution at this time, could you possibly work on a case by case basis?"

Supervisor Walter: "I think what's happened is-- "

Councilman Wooten: "I don't-- I really don't think that by eliminating it as a general statement that it's going to preclude it entirely. I mean there are going to be incidences where there may be an elderly gentleman that, you know, or somebody passes away and their animals have to be-- we're going to have to take those animals as part of Ags and Market Law. We're going to have to take that.

This is pretty much to address unwanted dogs that maybe somebody has bought for bad purposes and it ran its gambit so they just come to the town and pay a \$25.00 fee and then the town is straddled with the care and maintenance of this dog and medical costs for this dog forever or until it gets adopted out.

And it's really an unfair burden on the taxpayers. Twenty-five dollars doesn't even come close to covering those fees. But I'm not going to say this will eliminate entirely. It will probably eliminate the practice of just arbitrarily just taking every dog surrendered."

Michelle Janelowicz: "I understand that but the resolution doesn't state that."

Councilman Wooten: "No. Well, this is— we're looking at public law at this point. We're just looking at this particular section of law. We drafted something to take its place? No, not at this point. But I think that may present itself. The Animal Advisory may have to weigh in on that."

Councilwoman Giglio: "Are there any other towns in Suffolk County that takes dogs voluntarily where people come and drop off their dogs when they don't want them anymore?"

Councilman Wooten: "They don't in Southold. Brookhaven town does but there's an eight month waiting list."

Councilwoman Giglio: "Okay."

Councilman Dunleavy: "But I have to agree with this young lady that we should have something in the code that says on occasion, like you said, if somebody passes away and they have a dog that— we should be able to accept that dog but the way (inaudible), we're not going to be able to do it all now."

Councilman Wooten: "That's dictated by state law. Town law can't supercede that. Ags and Markets Law says, yes, we have a responsibility there."

Councilman Dunleavy: "Okay."

Michelle Janelowicz: "This resolution doesn't make any type of accommodation for dangerous dogs, etc. Just to get rid of the

resolution itself doesn't really- if there's no solution that's provided."

Robert Kozakiewicz: "A dangerous dog can be taken under the dangerous dog legislation. If there's a circumstance where a dog has bitten somebody or is alleged to have been involved in an incident that would qualify for, or you know, lead us to pursue a dangerous dog proceeding in Justice Court, the dog can be held for that reason."

Michelle Janelowicz: "I'm not referring to that. I was just referring to the fact that if someone needs to surrender a dog, this resolution prevents them from doing so. So if we can make some type of case by case solution or some other type of resolution- "

Robert Kozakiewicz: "Well, and conversely in the absence of doing this, we're obligated to accept all takers. So, and I think that there was a concern, you know, about having it open ended where anybody who decides that they no longer like the canine that they've adopted, they can simply go to shelter and turn it over as opposed to going to a veterinarian and dealing with on their own money."

Michelle Janelowicz: "I also want to point out that the committee didn't vote for it. It was just decided on by a certain few.

Thank you."

Supervisor Walter: "Thank you. Does anybody else wish to be heard on this matter? Not seeing anybody, I will close the public comment of the meeting and I will leave it open for written comment until October 14, 2011 at 4:30."

Public hearing closed: 2:20 p.m.

Left open for written comment for
10 days to October 14, 2011 at
4:30 p.m.

Supervisor Walter: "Resolutions. Anybody wish to be heard on resolutions?"

Robert Kozakiewicz: "I have one comment on the first one that's the Community Development Agency resolution, there's a couple typos in there. The first refers to Supervisor in the heading. It should be Chairman."

Supervisor Walter: "Which resolution?"

Robert Kozakiewicz: "This is the one that's the 16, so that one needs to be amended. And furthermore, this is not an agreement that would require it to be ratified. It would require it to be authorized or execution."

So the first resolved, where it says hereby ratifies- "

Supervisor Walter: "It's authorizes."

Robert Kozakiewicz: "Right. So I did prepare a new face sheet for it which I can hand up to the board or I can provide it to the clerk."

Supervisor Walter: "Provide it to the clerk."

Robert Kozakiewicz: "Okay."

Supervisor Walter: "All right. Anything else, Bob?"

Robert Kozakiewicz: "No."

Supervisor Walter: "Sal."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. Resolution 755. The attachment, the public notice. That definition needs to be rewritten. It is not very clear and if you want to go out for a public notice to get comments, it should at least make sense."

Supervisor Walter: "You're talking about the first Resolved?"

Sal Mastropaolo: "No. The public notice. The definition of accessory building, structure or use. It's like a run on sentence and the more it runs on, the more confusing it gets."

Councilman Dunleavy: "This is attorney language."

Sal Mastropaolo: "Yeah, that's the problem. The problem is

that this is a subject that's going to generate a lot of dialogue in the future, okay, accessory use is always coming up and if you don't have a clear definition, you're just begging people to try to get around it.

Let me give you an example. I'm going to read it the way it is and I'm going to stop where it should stop."

Supervisor Walter: "Go ahead because I have an idea, too."

Sal Mastropaolo: "Accessory building structure or use. The building, structure or use subordinate in area extent and purpose to and serves to the principal building or use located on the same lot as such principal building or use. Period. Period. Then start the next-- I don't know what you-- "

Supervisor Walter: "Sal, hold on because that's exactly where I was ending but I didn't put those words in. So such principal building or use and what did you throw in there?"

Sal Mastropaolo: "Located on the same lot as such principal building or use. Because I think it's important on the first statement to identify where it's located."

Supervisor Walter: "On the same lot as said building or use?"

Sal Mastropaolo: "Such principal building or use."

Councilman Wooten: "Just the way it's worded. (Inaudible)."

Robert Kozakiewicz: "Just to be clear, you're saying that the first three sentences in that definition, you would put a period at the end of use."

Sal Mastropaolo: "Yes."

Supervisor Walter: "And you would get rid of the word served."

Sal Mastropaolo: "Then-- well-- "

Supervisor Walter: "Okay, go ahead."

Sal Mastropaolo: "Then I would start a second statement that conveys whatever you want to convey in the new underlined portion."

Supervisor Walter: "I agree with you 100%. You know what? Sal, when you're done-- is Ann Marie Prudenti still here?"

Robert Kozakiewicz: "I believe she is."

Supervisor Walter: "All right. We're going to play with this because I don't like the run on sentence and I don't want to do this just off the cuff because I think it's something like said accessory building, structure or use is customarily found or-- I mean, you've got to lead into it. Okay."

Sal Mastropaolo: "That's my only comment."

Supervisor Walter: "Jill, can you see if you can find her and see if we can we-work this in the next five minutes?"

What else have you got? I think we can clean this up. Very good. Bob, if you want to play with it, too. I think all we're looking for is a lead in to that and I agree.

My father is an attorney, an old school attorney and he used to tell me the sign of a good attorney is to write a whole contract and use one period and that's the way attorneys used to write.

Okay. Anybody else wish to be heard on the resolutions? No."

Councilman Dunleavy: "I make a motion that we close the town board meeting and open the Community Development meeting. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes."

Supervisor Walter: "Okay, so Bob-- hold on for the CDA. Bob, see if you can't-- (inaudible) language, not a big deal."

Meeting adjourned

Meeting reopened

Supervisor Walter "Before we get started, you want to move the tabled resolution so they're somewhat in order? We have that tabled resolution that sets registration fees for the recreation department."

Councilwoman Giglio: "I make a motion to un-table Resolution #700. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is un-tabled."

Councilwoman Giglio: "Resolution #700. Sets registration fees for the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay. 731."

Resolution #731

Councilwoman Giglio: "Authorizes funding application to New York State to support freight village project. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #732

Councilman Dunleavy: "Authorizes funding application to New

York State to support MAGLEV-2000 demonstration and certification project. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #733

Councilman Wooten: "It's a 2009 Calverton rail capital project budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #734

Councilman Gabrielsen: "Authorizes establishment of a petty cash account for the animal shelter. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #735

Councilwoman Giglio: "General fund budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;

Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #736

Councilman Dunleavy: "Budget adjustment general fund EEAC. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #737

Councilman Wooten: "737 is a water department budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #738

Councilman Gabrielsen: "This is for 46 Dolphin Way, Riverhead, NY Chapter 96 budget adoption. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, no; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #739

Councilwoman Giglio: "Authorizes the town of Riverhead to direct Joseph Beneke to remove all weeds, noxious plants, grass and/or rank vegetation in excess of ten inches in height upon the premises known as 46 Dolphin Way, Riverhead, New York 11901, a/k/a

SCTM# 0600-017.00-02-001.01 pursuant to Riverhead town code Chapter 96. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, no; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #740

Councilman Dunleavy: "Awards bid for Miamogue Park construction project. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #741

Councilman Wooten: "It appoints part time call in personnel for the Riverhead youth bureau's fall/winter 2011 mentoring matters program. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #742

Councilman Gabrielsen: "Terminates employment of a part time maintenance mechanic 1. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #743

Councilwoman Giglio: "Classifies action, claims lead agency and determines significance of Wading River duck ponds water quality improvement project. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #744

Councilman Dunleavy: "Ratifies a call in recreation aide to the recreation department. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #745

Councilman Wooten: "Appoints a call in recreation aide II to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #746

Councilman Gabrielsen: "Sets salaries for 2011-12 personnel for the Riverhead youth bureau/recreation department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #747

Councilwoman Giglio: "Awards bid for water meters and accessory equipment for use in the Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #748

Councilman Dunleavy: "Appoints a call in recreation aide to the recreation department. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #749

Councilman Wooten: "Authorizes the supervisor to execute a stipulation with Riverhead PBA. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #750

Councilman Gabrielsen: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-10 - parking prohibited. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #751

Councilwoman Giglio: "Authorizes the supervisor to execute an agreement with County of Suffolk office of the aging, AAA transportation program. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #752

Councilman Dunleavy: "Consents to town justices serving in the Riverhead Justice Court when sitting as the East End Regional Intervention Court. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #753

Councilman Wooten: "This approves the Chapter 90 application of Riverhead Elks Lodge #2044, lawn mower event and children's bicycle races - October 30, 2011. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #754

Councilman Gabrielsen: "Authorizes the designation of a secondary name to Maple Avenue in honor of PFC Garfield Langhorne. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. It is an honor for me to do this. This is where he grew up on Maple Avenue, he served his military and got the highest award you can get in the military.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Supervisor Walter: "Diane, can you make sure they get a hard copy in the highway department for this?"

Diane Wilhelm: "Yes, sure."

Resolution #755

Councilman Gabrielsen: "Authorize the town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Section 108-3 definitions, word usage - accessory building, structure or use. So moved."

Councilman Dunleavy: "I second it."

Supervisor Walter: "Bob, did you- did we come up with an amendment for this?"

Robert Kozakiewicz: "I tried to keep it somewhat consistent with what had been done and did that which was suggested as far as the first sentence. I left it as it was and put a period after use.

To start the second sentence I added the words an accessory building, structure or use is and then continued the rest of the sentence. Building, structure or use is- so served came out, comma came out and then continues customarily found as an incident to the principal structure or use and contributes to the comfort, convenience or need of the occupants."

Supervisor Walter: "It's exactly what it needed. Are you happy, Sal? That's what it needed."

Councilman Wooten: "Can you give me- "

Robert Kozakiewicz: "So the first sentence stayed like the way it was, period after use. The second sentence starts an accessory building, structure or use is, the word served comes out, the comma comes out and then continues customarily."

Councilman Dunleavy: "Second as amended."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Yes, for the public hearing."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #756

Councilman Dunleavy: "Authorizes temporary and permanent electric service at Plant 17-1 Riverhead water district. So moved."

Councilman Wooten: "And I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #757

Councilman Wooten: "This authorizes change order No. 1 Riverhead water district - well No. 16. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #758

Councilman Gabrielsen: "Authorizes change order No. 1, and that's for the interim and permanent treatment at well No. 17-1 contract E-Electrical Construction Riverhead water district. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #759

Councilwoman Giglio: "Authorizes change order No. 1 interim and permanent treatment at well No. 17-1 contract G general and mechanical construction Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #760

Councilman Dunleavy: "Ratifies town board approval for importation/excavation permit pursuant to Chapter 62 of the Riverhead town code to Lowe's Home Centers Inc. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #761

Councilman Wooten: "This approves the purchase of sand required by the town highway department to perform sanding operation on town highways and roadways. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #762

Councilman Gabrielsen: "Authorization to publish advertisement for specialty food items for the town of Riverhead senior center. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #763

Councilwoman Giglio: "Authorizes town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, section 108-3 definitions, word usage - agricultural production. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes. The resolution is adopted."

Resolution #764

Councilman Dunleavy: "Authorize the funding application to New York State to support Riverhead sewer treatment plant upgrade. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution is adopted."

Resolution #765

Councilman Wooten: "Authorize the town clerk to post and publish the attached notice to bidders for docks along the downtown waterfront. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Yeah. I just want to thank the Supervisor's office and also Christine Kempner and our engineering department for getting this together so quickly."

It was put together this morning. The snowflake regatta will be held on the riverfront on November 13th and this stop was recently approved by the New York State DEC so we are getting it out--the notice to bidders right a way so that hopefully we can have the dock in place for the snowflake regatta.

Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #766

Councilman Gabrielsen: "Declares public emergency regarding Hurricane Irene and authorizes the Supervisor to execute an agreement for removal of storm debris for incineration by town of Brookhaven. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #767

Councilwoman Giglio: "Authorizes the acceptance of donations from a committee advocating relocation and construction of animal shelter and authorizes the financial administrator to establish and manage a trust and agency fund. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "It's not the MTAV, it's the MTAS but yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I think this is a good thing that these citizens are doing for our animal shelter. They're out there trying to get donations so it would cost the town less to maintain it and to operate maybe a new shelter."

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #768

Councilman Dunleavy: "Pay the bills."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay. That concludes the town board's official business. Does anybody wish to be heard on other subjects?"

Patricia Holland: "Hello. Patricia Holland, Northville."

Supervisor Walter: "Hello, Miss Holland."

Patricia Holland: "I go into the recycling dump to get rid of my lawn debris and whatever and I was there last week and you could barely get in there. I had read in the News Review that they were going to grind it up for free for the next 18 months or whatever. Nothing- "

Supervisor Walter: "They're working on it."

Patricia Holland: "It's worse than it's ever been."

Supervisor Walter: "Pardon me."

Patricia Holland: "It's worse than it's ever been as far as a regular person trying to drive in and do anything. So when are they supposed to start?"

Supervisor Walter: "Hopefully within the next, I'm guessing, 30 days."

Councilman Wooten: "Why don't we authorize Crown to take some and we just passed incineration for Brookhaven so- we opened it up for 10 days after the storm, so- "

Patricia Holland: "No. I don't mean the old large place. I mean the new place next to the--"

Councilman Wooten: "Yeah, that's the yard waste. Right. That's where the yard waste goes."

Councilwoman Giglio: "After the hurricane there was an enormous amount of branches and things like that so- "

Councilman Dunleavy: "Yeah, they put that- the old spot was opened up for the hurricane. The new spot is full."

Patricia Holland: "Yes, that's what I'm saying. How come it's not being grinded up?"

Councilman Dunleavy: "I went up there and I questioned why it was full and the grinder was there for one day and it broke down. So they had to wait until it gets repaired, but they're going to do the hurricane stuff first and then they're going to move it over and do the other stuff."

Patricia Holland: "That makes no sense. Real people have to get into the little place next to the dog and cat stuff."

Councilman Dunleavy: "That's what that department- and I'm not the department head there, said."

Supervisor Walter: "We are working on it. The Crown Sanitation is working through some final issues to get the yard waste ground. I met with Crown Sanitation last week and we've got some final issues with them to resolve this to get them in there."

So we're aware of the situation. We will get it ground almost- they understand my desire to get that ground almost as quickly as we possibly can. But we're on top of it."

Patricia Holland: "But we're still at the point where they're going to grind everything up because they owe the town "x" amount of money?"

Supervisor Walter: "Yes. Correct. That is the plan."

Patricia Holland: "I know plans are one thing but in reality is that what- "

Supervisor Walter: "I can't tell you what reality is because it hasn't happened yet. That's the plan to have them come in."

They- we had an agreement. There were some issues that we had to resolve within the terms of the agreement and hopefully we should have that resolved- did we have further conversations with them?"

Robert Kozakiewicz: "There was a conference today in court. We're still waiting for some documentation from them."

Supervisor Walter: "It's an insurance issue."

Patricia Holland: "If they do not do this grinding- "

Supervisor Walter: "We have backup plans."

Patricia Holland: "We as a town have backup."

Supervisor Walter: "Yes."

Patricia Holland: "But then do they have to owe us the money that they're not paying?"

Supervisor Walter: "Then the litigation just continues to go on."

Patricia Holland: "Thank you."

Supervisor Walter: "You're welcome. Does anybody else wish to be heard? Not seeing anybody can I get a motion to adjourn?"

Councilman Dunleavy: "I make a motion to adjourn."

Councilman Wooten: (Inaudible).

Councilman Dunleavy: "Oh, you're not finished."

Councilman Wooten: "It's only a 45 minute meeting. We can't have that."

Councilman Dunleavy: "I make a motion we adjourn the meeting."

Councilman Wooten: "So moved."

Supervisor Walter: "All in favor?"

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Collective response: "Aye."

Supervisor Walter: "Thank you for coming everybody."

Meeting adjourned: 2:47 p.m.

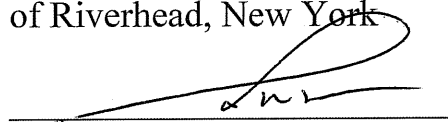
Diane M. Thelander

WAIVER OF NOTICE AND CONSENT
OF SPECIAL MEETING

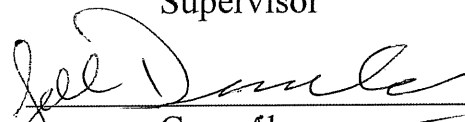
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 3:30p.m. on the 4th day of October, 2011 and do consent to the holding of such meeting for the purpose of the following (see attached):

Dated: October 4, 2011
Media Notified by
Supervisor

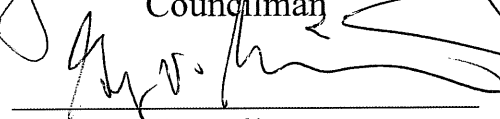
TOWN BOARD MEMBERS
of Riverhead, New York



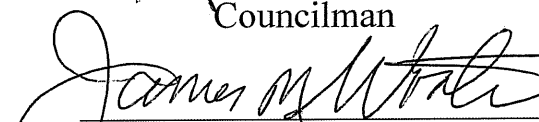
Supervisor



Councilman



Councilman



Councilman



Councilwoman

Minutes of a Town of Riverhead special board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, October 4, 2011 at 3:37 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Supervisor Walter: "Okay. We ended our town board meeting a little prematurely. Diane, we have to go ahead- "

Diane Wilhelm: "Yes. I'm here to present the 2012 tentative budget for the town of Riverhead and I just want to acknowledge that my intention was to present this at the town board meeting that just ended and I want to thank the supervisor and all town board members for calling the special board meeting to allow me- allow and permit me as town clerk to present our 2012 tentative budget."

Supervisor Walter: "Thank you very much. Here's the budget. You guys have copies of it. Do we have to any more than that?"

Councilman Wooten: "I have just one question."

Supervisor Walter: "What's that?"

Councilman Wooten: "It looks awfully thin compared to last year's."

Supervisor Walter: "We keep cutting. All right. That's it?"

It's presented. Thank you, Diane, appreciate it."

Diane Wilhelm: "Thank you."

Supervisor Walter: "All right. We'll close the town board meeting. Thank you."

Meeting closed: 3:39 p.m.

Diane M. Wilhelm
Town Clerk